

MINUTES

ALCOHOL AND TOBACCO COMMISSION

NOVEMBER 15, 2011

CALL TO ORDER/NOTING OF QUORUM

Chairman Huskey called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson, Commissioner Guthrie and Commissioner Sturtz. Superintendent Strittmatter, Major Poindexter, Corporal Thickston and Executive Secretary Neal were also in attendance.

Jeff McKean, Debbie Rolfsen, Greg Genrich, Lisa McKinney, Matt Brase, Trevor Vance, Mary Walker, Nicole Upano, Alex Intermill, Bart Herriman, Marc Carmichael, Mark Webb and Connie Vickery were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the November 1, 2011 meeting. Commissioner Guthrie seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Hearing Judge Neal recommended the Commission approve the parties' agreed dispositions that were submitted for the November 15, 2011 meeting.

Vice Chairman Johnson moved to approve the parties' agreed dispositions that were submitted for the November 15, 2011 meeting. Commissioner Guthrie seconded. The motion was unanimously approved.

CONSIDERATION OF APPLICATIONS

Commissioner Sturtz moved to approve and incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by our staff with the authority of the Commission. Commissioner Guthrie seconded. The motion was unanimously approved.

Commissioner Sturtz moved to approve and incorporate by reference these lists of permit applications for a new permit, which includes the tabled applications, or applications for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners. Vice Chairman Johnson seconded. The motion was unanimously approved.

Commissioner Sturtz moved to approve and incorporate by reference these lists of permit applications for catering. Commissioner Guthrie seconded. The motion was unanimously approved.

Commissioner Sturtz moved to approve and incorporate by reference these lists of permits to be placed in escrow for not more than five years, which have been reviewed and recommended by a

Commissioner as appropriate for escrow. Vice Chairman Johnson seconded. The motion was unanimously approved.

Three hundred seventy-one (371) permits approved for renewal, fifty-two (52) new and/or transfer permits approved, three (3) permits approved for catering, four (4) permits approved for first year escrow, three (3) permits approved for second year escrow, three (3) permits approved for third year escrow, and two (2) permits approved for fourth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Vice Chairman Johnson moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Commissioner Guthrie seconded. The motion was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR29-14849 MARGARET NEWLUN, INC., D/B/A ROCK TONIC – Commissioner Guthrie noted this is a type 210 renewal application with the local board voting three (3) to zero (0) to disapprove. The applicant failed to appear at three consecutive meetings.

Commissioner Guthrie moved to uphold the local board and deny the renewal of the permit. Commissioner Sturtz seconded. The motion was unanimously approved.

RR31-28174 RANDA PROPERTIES, LLC – Commissioner Guthrie noted this is a new type 209 application with the local board voting three (3) to one (1) to disapprove.

Commissioner Guthrie stated this establishment has been in operation for 20 years, with a type 111 permit. Remonstrators feel there is no need to serve liquor because they already have complaints about the noise and behavior of the patrons.

Commissioner Guthrie moved to deny the new application. Vice Chairman Johnson seconded. The motion was unanimously approved.

DL48-28171 MAC'S CONVENIENCE STORES, LLC – Commissioner Guthrie noted this is a new type 115 application with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to uphold the local board and approve the new permit. Commissioner Sturtz seconded. The motion was unanimously approved.

INACTIVE FILES

INACTIVE FILES- Vice Chairman Johnson moved to make forty-seven (47) permits inactive. Fourteen (14) permits are subject to auction and thirty-three (33) permits are not subject to auction. Commissioner Guthrie seconded. The motion was unanimously approved.

OLD BUSINESS

No Old Business

NEW BUSINESS

DL45-99024 SPEEDWAY LLC – Vice Chairman Johnson stated this permit was originally applied for as a type 115 permit. However, the Commission just received notice from the surveyor that this permit is not inside the city limits of St. John, but outside the city limits. Therefore, the permit needs to be converted to a type 116 permit.

Vice Chairman Johnson moved to approve the conversion of the permit. Commissioner Guthrie seconded. The motion was unanimously approved.

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Commissioner Guthrie seconded. The motion was unanimously approved.

Approved this _____ day of _____, 2011.

ALEX HUSKEY, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER